

2013 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB389)

Received: **10/4/2013** Received By: **emueller**
Wanted: **As time permits** Same as LRB:
For: **Penny Bernard Schaber (608) 266-3070** By/Representing: **Eric Koch**
May Contact: Drafter: **emueller**
Subject: **Transportation - traffic laws** Addl. Drafters:
Extra Copies: **ARG**

Submit via email: **YES**
Requester's email: **Rep.BernardSchaber@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Increased penalties for distracted driving or failure to wear seat belt on expressway or freeway

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|--------------------|----------------------|----------------|----------------------|----------------------|-----------------|
| /? | emueller 10/4/2013 | | | _____ | | | |
| /1 | | evinz 10/4/2013 | jmurphy 10/4/2013 | _____ | lparisi 10/4/2013 | lparisi 10/4/2013 | |

FE Sent For:

<END>

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1/2 | emueller | 11/20/13 | | | | | |
| 1/1 | EM | 10/4/13 | | | | | |
| | 10/4/13 | | | | | | |

FE Sent For:

<END>

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

10/4

Enr @ Rep. Bernard Schaefer

- 2x penalty for distracted driving
or failure to wear seat belt
when

and $\left\{ \begin{array}{l} 1. \text{ on 70 mph highway} \\ 2. \text{ speeding} \end{array} \right.$



D Nose
State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa0904/1

EVM:.....

lev

ASSEMBLY AMENDMENT ,

RMR

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 389

SAV

10/4/13

Today

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 2: delete "expressways." and substitute "expressways and
3 penalties for certain violations committed while exceeding the maximum speed limit
4 on certain freeways and expressways and providing a penalty."

5 2. Page 3, line 2: after that line insert:

6 "SECTION 3g. 346.95 (2s) of the statutes is created to read:

7 346.95 (2s) If an operator of a vehicle violates s. 346.89 while exceeding a speed
8 limit on a freeway or expressway upon which the 70 miles per hour speed limit ^{of 70 miles} under _{per hour}
9 s. 347.57 (4) (gm) applies, any applicable minimum and maximum forfeiture
10 specified under s. 346.95 (1) or (2) shall be doubled.

11 SECTION 3m. 347.50 (4m) of the statutes is created to read:

1 347.50 (4m) If an operator of a motor vehicle violates s. 347.48 (2m) (b) or (c)
2 or (4m) (am) while exceeding a speed limit on a freeway or expressway upon which
3 the 70 miles per hour speed limit under s. 347.57 (4) (gm) applies, any applicable
4 minimum and maximum forfeiture specified under s. 347.50 (2m), (3), or (4) shall be
5 doubled." ✓

6 3. Page 3, line 12: after that line insert:

7 "SECTION 5m. Initial applicability.

8 (1) The treatment of sections 346.95 (2s) and 347.50 (4m) of the statutes first
9 applies to violations committed on the effective date of this subsection, but does not
10 preclude the counting of other convictions as prior convictions for purposes of
11 sentencing by a court." ✓

12 (END)

Done

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0904/1dn

EVM:.....

Leev

date

ATTN: Eric Koch

This amendment applies double penalties to all offenses under s. 346.89 and to the offenses under s. 347.48 (2m) (b) and (c) and (4) (am). Please let me know if this does not reflect your intent. Also, please note, it is possible that this amendment could be challenged as being nongermane under Assembly Rule 54 (3) (f) on the basis that it substantially expands the scope of the proposal. Please let me know if you have any questions or further instructions.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0904/1dn
EVM:eev:eev

October 4, 2013

ATTN: Eric Koch

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